

Message Text

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PAGE 01 STATE 267728
ORIGIN EUR-12

INFO OCT-01 ISO-00 MCE-00 CIAE-00 DODE-00 PM-05 H-01
INR-07 L-03 NSAE-00 PA-01 PRS-01 SP-02 SS-15
IGA-02 NSCE-00 SSO-00 USIE-00 INRE-00 ACDA-12
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O R 082303Z NOV 77
FM SECSTATE WASHDC
TO AMEMBASSY PARIS IMMEDIATE
INFO USMISSION USNATO

C O N F I D E N T I A L STATE 267728

E.O. 11652: GDS

TAGS:MARR, FR

SUBJECT: U.S.-FRENCH MEMORANDUM OF UNDERSTANDING ON
ARMAMENTS COOPERATION AND RATIONALIZATION

REF: PARIS 30895 AND PARIS 27296 PARA 5

1. WE CONSIDER THAT LANGUAGE MODIFICATIONS IN CURRENT
TEXT OF MOU, WHICH HAS BEEN PROVIDED TO US BY DEFENSE,
DO NOT CONSTITUTE ANY MATERIAL CHANGE FROM THE ORIGINAL
DRAFT APPROVED UNDER CIRCULAR 175 PROCEDURES LAST MARCH
AND ARE ACCEPTABLE.

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2. IT IS OUR UNDERSTANDING THAT THE FRENCH HAVE PROPOSED
THAT THE MOU BE CLASSIFIED CONFIDENTIAL FOR
REASONS WHICH MAY PREVAIL AT LEAST UNTIL
NEXT MARCH. WE ALSO UNDERSTAND THE FRENCH HAVE IN-
DICATED IN CONVERSATIONS THAT THEY WOULD AGREE THAT
THE DOCUMENTATION IMPLEMENTING THE MOU, WHICH WOULD BE
CIRCULATED AMONG PROCUREMENT OFFICERS AND BIDDING

COMPANIES, WOULD BE UNCLASSIFIED AND WOULD REFER SPECIFICALLY TO THE MOU.

3. IN REPORTING THE MOU TO THE CONGRESS, UNDER THE CASE ACT, WE WOULD BE OBLIGED TO EXPLAIN THIS SITUATION, AND PARTICULARLY WHY AN AGREEMENT WITH NO INHERENT CONTENT THAT REQUIRES CLASSIFICATION IS NONETHELESS CLASSIFIED FOR POLITICAL REASONS. U.S. POLICY AND LEGAL CONSIDERATIONS ARGUE STRONGLY AGAINST CONCLUDING SUCH AN AGREEMENT ON A CLASSIFIED BASIS. THE CASE ACT EMBODIES THE STRONGLY HELD BELIEF THAT AGREEMENTS BINDING THE U.S. GOVERNMENT SHOULD BE IN THE PUBLIC DOMAIN. THE EXCEPTIONS WHICH THE ACT RECOGNIZES ARE THOSE AGREEMENTS QUOTE THE IMMEDIATE PUBLIC DISCLOSURE OF WHICH WOULD BE PREJUDICIAL TO THE NATIONAL SECURITY OF THE UNITED STATES. UNQUOTE. SUCH AGREEMENTS ARE TRANSMITTED TO THE CONGRESS ON A CLASSIFIED BASIS, AND THE CLASSIFICATION MUST BE JUSTIFIED IN EACH INSTANCE.

4. WE WOULD LIKE THE EMBASSY TO EXPLAIN THE FOREGOING TO THE FRENCH, TO DETERMINE MORE PRECISELY THE JUSTIFICATIONS FOR A CLASSIFIED MOU, AND WHETHER THEY WOULD BE WILLING TO SIGN AN UNCLASSIFIED AGREEMENT.

5. WOULD APPRECIATE REACTION ASAP. VANCE

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NNN

Message Attributes

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Copy: SINGLE
Sent Date: 08-Nov-1977 12:00:00 am
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Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
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ISecure: 1
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